



Postal Regulatory Commission
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USPS
475 L'Enfant Plaza SW, RM 5679
Washington, DC 20260
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Paris, 19 January 2021

Subject: UPS request to the Postal Regulatory Commission

Dear Sir,

USPS has informed La Poste of UPS' request to the US Postal Regulatory Commission (the Commission") concerning access "*to confidential information that USPS filed with the Commission in December*". One of the documents concerned by this request (USPS-FY20-NP2, mentioned in page 6 of the request) is the "*International Cost and Revenue Analysis (ICRA) Report*", dealing with "*international competitive products*." According to USPS, this document contains "*specific information regarding revenue, cost, weight, shape, and volume data for inbound and outbound products*" concerning the relationship between USPS and other postal operators including La Poste.

La Poste has significant concerns regarding UPS's request, as sharing such information could violate Section 1 of the Sherman Act and similar state statutes which forbid sharing competitively sensitive information among competitors. This also raises a similar issue with regards to European Union antitrust law.

Indeed, USPS and La Poste negotiated rates on a bilateral basis upon USPS request and La Poste emphasized that such rates may not be shared with other postal operators or be made publicly available as doing so would violate antitrust laws.

Not only would such disclosure violate antitrust laws, but it would cause La Poste significant harm in its business, including in how it approaches servicing customers.

In addition, providing such information would also breach contractual confidentiality obligations in force between USPS and La Poste.

Thus, La Poste requests that this information shall not be disclosed to UPS or any third party.



Please acknowledge receipt of this letter and confirm that USPS will communicate this letter to the Postal Regulatory Commission. Further, please confirm that you will keep La Poste informed of any further development concerning UPS request as far as La Poste is concerned.

Sincerely yours.

A handwritten signature in black ink. It consists of a large, stylized loop on the left, followed by a horizontal line, and then a series of short, connected strokes on the right that form the letters 'L', 'L', and 'L'.

Marc Pontet,
Head of International Unit

CC. Jean-Paul Forceville, Sonia Scharfman